

## REMARKS

### Claim Status:

Claims 1-32 are pending in the application.

Claim 1 is amended without prejudice to clarify the intended meaning of the term “symbology”.

Claim 15 is amended without prejudice by changing the term “fabrication” to --construction materials, equipment or processing--.

Claim 21 is amended in independent form and now includes the features of claim 15 (prior to today’s amendment), but without its original intermediate claims. Claim 21 is believed broader than its original form as shown in the “Amendments to the Claims” section.

### Formal rejections:

Claim 21 is rejected under 35 U.S.C. § 112, first paragraph. Claim 9 is rejected under 35 U.S.C. § 112, second paragraph.

We respectfully traverse these rejections.

#### *Claim 21*

Claim 21 recites – in combination with other features – a cryptographic signature including a date indicator. An act of determining includes determining whether the date indicator corresponds with an untrusted – but not expired – date.

The Office Action questions the phrase “but not expired” when modifying the untrusted date. *Please see* the Office Action on page 4, under the “Claims Rejections – 35 USC § 112” section.

We respectfully disagree as such a feature is described and enabled in the application. For example, paragraph [0054] discusses listing times that document assemblers were used without authority. Indeed, a so-called CLR list includes the times that identification assemblers may have been used without authorization. This is helpful in detecting an otherwise seemingly valid ID (e.g., an unexpired ID).

We request reversal of the rejection.

*Claim 9*

We submit that one of ordinary skill in the art would not be confused as to the meaning of a “first stage” or “second stage” of a fabrication process.

The ordinary meaning of the term “stage” includes, e.g., a step in a process or a portion of.

Thus, as used in the context of claim 9, the first stage refers to a first step or portion of the fabrication process, and the second stage refers to a second step or portion of the fabrication process.

Claim 9 was originally filed with the application and, thus, forms part of the original disclosure of the application.

We request that rejection be removed.

Art-based rejections:

Claims 1-32 stand rejected as being unpatentable over Chow in view of Chen. We respectfully traverse these rejections.

*Claim 8*

The Office Action states: “Applicant’s arguments, see page 8, filed 07/06/2007, with respect to claim 8 have been fully considered and are persuasive. *The rejection of claim 8 has been withdrawn.*” Please see the Office Action on page 4, lines 10-11. (*emphasis added.*)

But then the Office Action rejects claim 8 on page 7 as being obvious in view of Chow and Chen.

We ask the Examiner to clarify this statement so the record is clear for appeal.

*Claim 29*

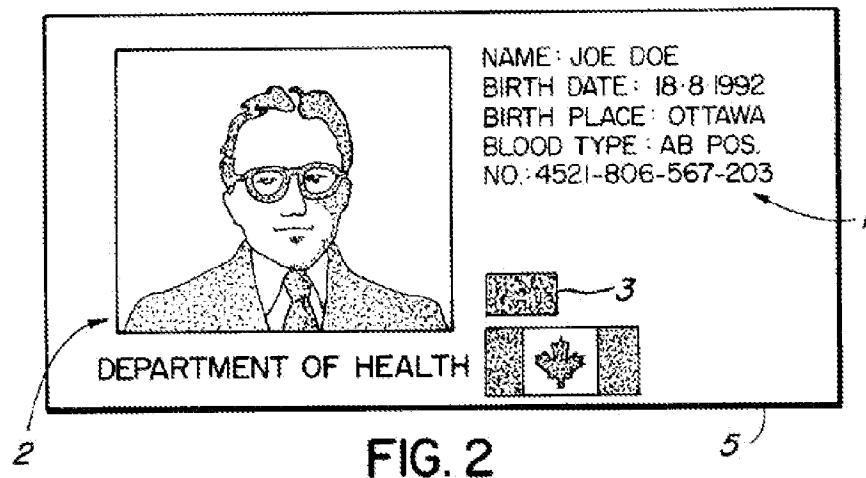
Claim 29 recites a method including: *randomly or pseudo-randomly* selecting a unique serial number; associating the unique serial number and fabrication details in a data record; providing the unique serial number on the identification document; and issuing the identification document.

The Office Action states that “it is common in the art to keep a record of cards that have been issued”. But this statement fails to address how the applied art renders obvious “randomly or pseudo-randomly selecting a unique serial number,” in the context of claim 29. *Please see* the Office Action on page 4, lines 3-9.

The Office Action fails to carry its *prima facie* burden and should be withdrawn. Claim 29 stands ready for allowance over the applied art.

### *Claim 1*

It appears that the Office Action is relying on at least the combination of the plain text 1 and encrypted area 3 as the “security feature” of claim 1. (Chow’s Fig. 2 is reproduced below for convenience.)



We respectfully submit that the Office Action applies an unfair reading of Chow.

To further emphasize this unfair reading, we have amended claim 1 to clarify that the “security feature” is provided on a surface of the identification document in a two-dimensional **encoded** symbology. Examples of two-dimensional encoded symbologies comprise, e.g., barcodes, 2D-barcodes, data glyphs, maxicodes, PDF 417, DataMatrix, and QR Codes, etc.

This is different than the plain text 1 relied on by the Office Action. *See, e.g.,* the Office Action on page 5, lines 14 and 17-18.

For example, the security feature of claim 1 includes: i) a first set of information, and ii) a cryptographic measure associated with the first set of information. The first set of information corresponds to at least one of the identification document, the bearer of the identification document or an issuer of the identification document. *The first set of information comprises an unencrypted form.* The cryptographic measure identifies at least a *record of fabrication* for the identification document.

We reserve our right to explore additional deficiencies of the proposed Chow and Chen combination.

We respectfully submit that claim 1 should be allowed over the applied art.

#### *Claim 9*

Claim 9 recites that a cryptographic measure includes at least a first digital signature and a second digital signature. The first digital signature corresponds to a first stage of a document fabrication process, and the second digital signature corresponds to a second stage of the document fabrication process.

Respectfully, the art rejection of claim 9 is woefully deficient.

For example, the Office Action acknowledges that neither “Chen nor Chow disclose an association of private keys with the equipment used or corresponding to a stage of a document fabrication process.” *Please see* the Office Action on page 7, lines 8-10. (*emphasis added.*)

But the Office Action then fails to provide any evidence or reasoning to establish why and how it would have been obvious to associated digital signatures with different stages of a document fabrication process. *See, e.g.,* the Office Action, page 7, lines 10-12.

Moreover, Chen and Chow are not understood to teach the combination – including associating digital signatures with different stages of a document fabrication process – as recited in claim 9.

*Claim 13*

Claim 13 recites a second set of information (included in the cryptographic measure) having a document inventory number. The inventory number is conveyed by a machine-readable code carried by the identification document.

The Office Action – without any justification, foundation or explanation – states that the inventory number is merely a serial number. But claim language cannot simply be rewritten to suit a particular rejection. In the instant case, however, the Examiner has replaced the term “inventory” with the term “serial”.

This approach ignores the historical use of an identification number, the ID fabrication process, and varied components of ID document fabrication inventory.

We respectfully submit that claim 13 should be allowed.

*Claim 15*

Amended claim 15 recites – in combination with other features – determining *construction materials, equipment or processing* details of the identification document from at least a cryptographic signature.

The proposed combination of Chen and Chow is not understood to render obvious such a combination.

Claim 15 stands ready for allowance.

*Claim 16*

Claim 16 recites that the machine-readable format (of claim 15) comprises digital watermarking.

The Office Action states on page 3, lines 15-17: “Examiner relied upon the two-dimension symbology as a watermark for claim 16, as a watermark is not just used via steganography or data hiding, but can also be a visible perceptible form of watermark also.”

The Office Action conveniently omits the term “digital” to modify --watermark--.

The specification defines digital watermarking for this application as follows: “Digital watermarking technology, *a form of steganography*, encompasses a great variety of techniques by which plural bits of digital data *are hidden in* some other object,

preferably without leaving human-apparent evidence of alteration.” *Please see* the specification at paragraph [0106]. (*emphasis added*.)

Thus, in the context of claim 16, the term “digital watermarking” implies steganography or data hiding, and not just a visible two-dimensional symbology.

(This “steganographic or data hiding” position is buttressed by the cannon of claim differentiation in view of claim 17. Claim 17 recites: “The method of claim 15, wherein the machine-readable format comprises a two-dimensional symbology.” Claims 16 and 17 claim different aspects of the invention. Thus, if a “two-dimensional symbology” is expressly recited in claim 17, then claim 16’s “digital watermarking” should be interpreted as meaning something different.)

We respectfully submit that claim 16 stands ready for allowance over the applied art.

#### *Claim 21*

Amended claim 21 recites – in combination with other features – that the cryptographic signature comprises a date indicator. The act of determining includes determining whether the date indicator corresponds with an untrusted – *but not expired* – date.

Thus, the untrusted date is not an expired date.

The Office Action fails to even address these features. *Please see, e.g.*, the Office Action on page 9, lines 8-12.

Claim 21 stands ready for allowance as well.

#### *Claim 27*

We respectfully request the Examiner to clarify the rejection of claim 27. For example, we ask that the Examiner provide citations to Chow and Chen with respect to the language recited in claim 27. This will allow the Board of Appeals to even more clearly ascertain the merits of the rejection.

*Remaining Claims*

We respectfully submit that the remaining claims also recite patentable combinations. Favorable reconsideration is requested.

Conclusion:

A Notice of Allowance is respectfully requested. Nevertheless, the Examiner is respectfully requested to contact the undersigned with any questions.

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Respectfully submitted,

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